

3
4
5 UNITED STATES BANKRUPTCY COURT
6 WESTERN DISTRICT OF WASHINGTON

7 In Re:

8 Michael Ray Cox
9 Sarah Lacey Cox
10 Debtors.
11

Case No.: 25-40406-MJH

Chapter 7

DECLARATION IN SUPPORT OF
MOTION FOR RELIEF FROM STAY

12 Under penalty of perjury, the undersigned hereby declares as follows:

- 13 1. As to the following facts, I know them to be true of my own personal knowledge, based
14 upon the review of the business records, and if called upon to testify in this action, I
15 could and would testify competently thereto.
16
17 2. The real property involved in this motion is commonly known as 2606 16th Avenue CT
18 SW, Puyallup, WA 98371 (the "Property").
19
20 3. I am an employee of Evergreen Moneysource Mortgage Company dba Evergreen Home
21 Loans ("Movant"). I am duly authorized to make this declaration on behalf of Movant.
22
23 4. I am familiar with the manner and procedure by which the records of Movant are
24 obtained, prepared, and maintained. Those records are obtained, prepared, and
25 maintained by employees or agents of Movant in the performance of their regular
26 business duties at or near the time, act, conditions, or events recorded thereon. The
27 records are made either by persons with knowledge of the matters they record or from
28 information obtained by persons with such knowledge. I have knowledge of and/or
29
30

1 access to the business records. I personally reviewed the business records related to this
2 loan prior to executing this declaration.

3 5. Movant is, either directly or through the use of a designated custodian, in possession of
4 the original Promissory Note dated March 18, 2017, in the principal amount of
5 \$592,250.00, which is secured by a Deed of Trust encumbering the Property. The Note
6 has not been subsequently assigned or transferred to any other person or entity since
7 assignment and transfer to Movant. Movant is entitled to receive payments under the
8 Note and Deed of Trust.
9
10

11 6. Attached are redacted copies of any documents that support the claim, such as
12 promissory notes, purchase order, invoices, itemized statements of running accounts,
13 contracts, judgments, mortgages, and security agreements in support of right to seek a
14 lift of the automatic stay and foreclose if necessary.
15

16 7. The following documents evidencing the loan, including the Note and Deed of Trust, are
17 attached as Exhibits hereto. Attached as Exhibit 1 is an imaged copy of Movant's file
18 copy of the Promissory Note.
19

20 a. Exhibit 1 – Note

21 b. Exhibit 2 – Deed of Trust

22 c. Exhibit 3 – Assignment of Deed of Trust
23

24 8. Movant uses the standard practices of the mortgage lender industry. A payment
25 received is applied to the account and credited to the next due payment. For example, a
26 payment received in December will be applied to the November payment if no payment
27 had been received in November.
28
29
30

1 9. As of April 21, 2025, Movant's records on the loan that is the subject of this motion
2 shows that the loan is due for the payments owed on and after December 1, 2024.

3 December 2024 through April 2025 monthly mortgage payments of \$4,415.86 each.

4 10. As of April 21, 2025, the principal balance on the loan is \$557,231.40 and the
5
6 approximate total balance due is \$573,062.05.

7 I declare on penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct.

9 Executed on _____ at _____, _____.

10
11 MH_0501_43441474_F14512

12
13 Dilyla
14 Carpenter

Digitally signed by Dilyla Carpenter
DN: cn=Dilyla Carpenter, c=US, o=Evergreen
Home Loans, ou=Default Department,
email=dcarpenter@evergreenhome.com
Date: 2025.04.24 17:09:13 -0700

15 Signature
16 Dilyla Carpenter

17 Printed Name
18 Default Supervisor

19 Title